

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

HENRY M. HEARNE,

Plaintiff

vs.

MOTION CONTROL INDUSTRIES,
DIVISION OF CARLISLE
CORPORATION, RETIREMENT PLAN
FOR BARGAINING UNIT EMPLOYEES
OF MOTION CONTROL INDUSTRIES,
DIVISION OF CARLISLE
CORPORATION,

Defendants

) Docket No. 04-276E
) (Judge Maurice B. Cohill, Jr.)
)
) ELECTRONICALLY FILED PLEADING
)
)
) DEFENDANTS' MOTION FOR SUMMARY
) JUDGMENT
)
) Filed on behalf of: Defendants
)
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DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants, Motion Control Industries, Inc., Division of Carlisle Corporation, and Retirement Plan for Bargaining Unit Employees of Motion Control Industries, Division of Carlisle Corporation, hereby move for summary judgment pursuant to F.R.C.P. 56.

In support of this motion, defendants incorporate by reference their Concise Statement of Material Facts, Appendix of Exhibits, and Memorandum in Support of Motion for Summary Judgment.

For the reasons set forth in their accompanying memorandum, defendants are entitled to summary judgment on plaintiff's claim. No material issue of fact remains for trial and defendants are entitled to judgment in their favor as a matter of law.

Respectfully submitted,

KNOX McLAUGHLIN GORNALL &
SENNETT, P.C.

DATE: March 30, 2006

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